

# **EXHIBIT A**

**(State Court Pleadings)**



## Notice of Service of Process

null / ALL  
Transmittal Number: 24229479  
Date Processed: 12/21/2021

**Primary Contact:** Heather McClow  
Lowe's Companies, Inc.  
1000 Lowes Blvd  
Mooresville, NC 28117-8520

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<b>Entity:</b>	Lowe's Home Centers, LLC Entity ID Number 2515365
<b>Entity Served:</b>	Lowe's Home Centers LLC
<b>Title of Action:</b>	Robert Little vs. Lowe's Home Centers, LLC d/b/a Lowe's Home Improvemnt
<b>Matter Name/ID:</b>	Robert Little vs. Lowe's Home Centers, LLC d/b/a Lowe's Home Improvemnt (11846377)
<b>Document(s) Type:</b>	Summons/Complaint
<b>Nature of Action:</b>	Personal Injury
<b>Court/Agency:</b>	Darlington County Court of Common Pleas, SC
<b>Case/Reference No:</b>	2021CP1600955
<b>Jurisdiction Served:</b>	South Carolina
<b>Date Served on CSC:</b>	12/20/2021
<b>Answer or Appearance Due:</b>	35 Days
<b>Originally Served On:</b>	CSC
<b>How Served:</b>	Certified Mail
<b>Sender Information:</b>	Darrious L. Baker, P.A. 803-254-7091

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Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

**To avoid potential delay, please do not send your response to CSC**

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JUSTICE IN ACTION

LAW CENTER

*"Putting Justice in Action"*

**OFFICE:**  
521 BRIAR CREEK ROAD  
CHARLOTTE, NC 28205  
TELEPHONE (704) 500-0194  
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**TAMMY DORCH TAYLOR**  
LEGAL ASSISTANT  
(704) 500-0194  
EMAIL: TDTAYLOR@JUSTICEINACTIONLAW.COM  
JUSTICEINACTIONLAW.COM

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**December 16, 2021**

**Via USPS RRR**

Lowe's Home Centers, LLC  
508 Meeting Street  
Columbia, SC 29169

**Re: Robert Little v. Lowe's Home Centers, LLC d/b/a Lowes Home Improvement**

Dear Lowe's Home Centers, LLC:

Enclosed please find a Summons and Complaint in the above-referenced matter.

Thank you for your attention to this matter.

***Respectfully Submitted,***



***/s/: Tammy Dorch Taylor***

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
COUNTY OF DARLINGTON	)	FOR THE FOURTH JUDICIAL CIRCUIT
ROBERT LITTLE,	)	
	)	
Plaintiff,	)	<b>SUMMONS</b>
	)	
v.	)	
	)	
LOWE'S HOME CENTERS, LLC d/b/a	)	
LOWE'S HOME IMPROVEMNT	)	
	)	
Defendant.	)	

TO THE DEFENDANT ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is served upon you, and to serve a copy of your answer to this Complaint upon the subscriber at the address shown below within thirty (30) days (thirty five (35) days if served by United States Mail) after service hereof, exclusive of the date of such service, and if you fail to answer the Complaint, judgment by default will be rendered against you for the relief demanded in the Complaint.

BY: s/ Darrious Baker  
 Darrious L. Baker  
 SC Bar No. 101666  
[dbaker@darriusbaker.com](mailto:dbaker@darriusbaker.com)  
 Darrious L. Baker, P.A.  
 701 Main Street  
 Columbia, SC 29205  
 803-254-7091 (phone)  
 803-254-7094 (fax)  
*Attorney for Plaintiff*

December 9, 2021

Columbia, South Carolina

ELECTRONICALLY FILED - 2021 Dec 09 9:10 AM - DARLINGTON - COMMON PLEAS - CASE#2021CP1600955

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
COUNTY OF DARLINGTON	)	FOR THE FOURTH JUDICIAL CIRCUIT
ROBERT LITTLE,	)	
	)	
Plaintiff,	)	<b>COMPLAINT</b>
	)	<b>(JURY TRIAL DEMANDED)</b>
v.	)	
	)	
LOWE'S HOME CENTERS, LLC d/b/a	)	
LOWE'S HOME IMPROVEMNT	)	
	)	
Defendant.	)	

**NOW COMES PLAINTIFF** Robert Little (hereinafter "Plaintiff") by and through undersigned counsel, and complains against Defendant Lowe's Home Centers, LLC d/b/a Lowe's Home Improvement ("Defendant") as follows:

**PARTIES**

1. Plaintiff Robert Little is a citizen and resident of Chesterfield County, South Carolina.
2. Upon information and belief, Defendant Lowe's Home Center, LLC, is a foreign company, which, at all times relevant hereto, conducted business in Darlington County, South Carolina.

**JURISDICTION AND VENUE**

3. This Court has personal jurisdiction over Defendant because this lawsuit arises out of Defendant transacting business in Darlington County, South Carolina at its store located at 19 S. 4th Street, Hartsville, SC 29550.
4. This Court has subject matter jurisdiction over Defendant, in that the acts and omissions of Defendant occurred in Darlington County, South Carolina.

5. Venue is proper in this Court because Plaintiff's causes of action arose in Darlington County, South Carolina.

**FACTUAL ALLEGATIONS**

6. On March 19, 2019, Plaintiff patronized the Lowes Store located at 819 S. 4th Street, Hartsville, SC 29550 ("the store").

7. When Plaintiff arrived at the store he began looking for items to purchase.

8. As he was looking for items to purchase, Plaintiff was struck with a forklift operated by Defendant's employee within that employee's scope of employment.

9. The impact of the forklift caused Plaintiff to hit the floor, which caused him severe past, present and future physical, mental and emotional pain and suffering.

10. Plaintiff's injuries are all permanent and ongoing.

**FIRST CAUSE OF ACTION**  
**(Common Law Negligence)**

11. Plaintiff reiterates and realleges each and every paragraph above as set forth fully herein.

12. Defendant owed Plaintiff a duty to protect him from employees negligently operating equipment while at the store.

13. Defendant breached its duty to Plaintiff when its employee struck Plaintiff with a forklift while working within his course of employment, thereby making Defendant vicariously liable for Plaintiff's permanent injuries.

14. Defendant's breach of its duty to Plaintiff is the direct and proximate cause of Plaintiff's permanent injuries.

**SECOND CAUSE OF ACTION**  
**(Negligent Infliction of Emotional Distress)**

15. Plaintiff reiterates and realleges each and every paragraph above as set forth fully herein.

16. Defendant owed Plaintiff a duty to protect him from employees negligently operating equipment while at the store.

17. Defendant breached its duty to Plaintiff when its employee struck Plaintiff with a forklift while working within his course of employment, thereby making Defendant vicariously liable for Plaintiff's permanent injuries.

18. Defendant's breach of its duty to Plaintiff is the direct and proximate cause of Plaintiff's permanent injuries.

19. As such, Defendant was negligent.

20. It was reasonably foreseeable that striking Plaintiff with a forklift would cause severe mental and emotional distress.

21. And, Defendant striking Plaintiff with the forklift has in fact caused Plaintiff's ongoing severe mental and emotional distress.

22. Because of the negligent infliction of emotional distress Plaintiff has endured, and continues to endure, Plaintiff has suffered loss of income as well as emotional, mental and physical anguish and distress. Accordingly, Plaintiff seeks and is entitled compensatory damages, including pain and suffering.

**JURY DEMAND**

Plaintiff demands that all matters not suitable for determination by this Honorable Court be determined by a jury of his peers.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff, Robert Little, respectfully prays the Court for the following:

1. An order entering judgment in favor of Plaintiff in an amount to be determined at trial for each Cause of Action herein;
2. An order awarding Plaintiff actual and compensatory damages against Defendant;
3. All costs and expenses in this action, including reasonable attorney's fees from Defendants; and
4. Any and all further relief this Court deems necessary and proper.

This the 9<sup>th</sup> day of December 2021.

**DARRIOUS L. BAKER, P.A.**

BY: /s/ Darrious Baker  
SC Bar No. 101666  
2512 Devine Street  
Columbia, SC 29205  
P: (803) 254-7091  
F: (803) 254-7094  
dbaker@darriousbaker.com  
*Attorney for Plaintiff*



**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of the foregoing **PLAINTIFF'S LOCAL RULE 26.01 INTERROGATORIES** was delivered to the Clerk of Court on the date below, and shall deliver a copy of the same to the parties listed below via USPS Return Receipt Requested:

**Lowe's Home Centers, LLC  
508 Meeting Street  
West Columbia, SC 29169**

This the \_\_16th\_\_ day of December, 2021,

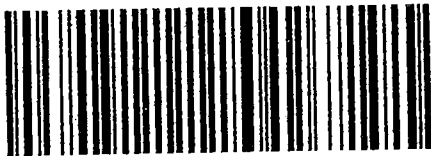
**DARRIOUS L. BAKER, P.A.**

BY: /s/ Darrious Baker  
Darrious L. Baker, (Fed ID No. 12122)  
2512 Devine Street  
Columbia, SC 29205  
P: (803) 254-7091  
F: (803) 254-7094  
dbaker@darriousbaker.com  
*Attorney for Plaintiff*

Justice in Action Law Center  
521 Briar Creek Road  
Charlotte, NC 28205

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

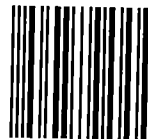
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28216  
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R2305K140186-12

Lowes Home Centers, LLC  
508 Meeting St.  
West Columbia, SC

29169

RETURN REQUESTED  
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29169\$7535 0008

